

## **MINING LAW REQUIREMENTS ON FEDERAL LANDS**

All filings for mining claims/sites located in Nevada should be made at the following address:

**Bureau of Land Management  
1340 Financial Blvd.  
Reno, NV 89502**

### **LOCATING AND RECORDING A MINING CLAIM/SITE**

Location Notices/Certificates must be filed with the BLM Nevada State Office, at the address shown above, within 90 days from the date of location. You must also record the location notices /certificates with the County Recorder within 90 days from the date of location. Location notices/certificates must include the state, meridian, township, range, section, and quarter section in which the claim or site is located, location date, type of location, name of claim or site, and claimant(s) name and address. Also, you must show on a map or sketch the boundaries and position of the individual claim or site by aliquot part within the quarter section accurately enough for BLM to identify the mining claims or sites on the ground.

**Fees for new claims or sites are as follows:** \$212 per lode claim, mill site or tunnel site is required to be paid at the time of recordation with BLM. This fee covers \$20 processing fee, \$37 location fee, and \$155 initial maintenance fee for the assessment year in which the claim/site is located. The fees for new placer claims are the same for the processing fee (\$20) and the location fee (\$37), but the initial maintenance fee is \$155 for every 20 acres or portion thereof.

**If you fail to file the location notice/certificate within the 90-day filing period, the location will be deemed abandoned and void by operation of law.**

**Please note:** If you locate a claim close to the September 1<sup>st</sup> deadline for annual maintenance fees (see below), you also need to be sure you file your annual maintenance fee or a waiver for the upcoming assessment year with your new claims, or on or before September 1<sup>st</sup> of that year, in addition to the \$212 fees for the new claims located prior to September 1, 2015.

**Location Date:** Date discovery monument is erected and location notice is posted on the ground.

**Assessment Year:** Begins at 12:01 a.m. September 1 through 12:00 midnight, August 31.

See regulations at 43 CFR 3838 for locating claims on private land patented under the Stock Raising Homestead Act, if disposal of the minerals is authorized under this Act. A Notice of Intent to Locate must be filed prior to locating a claim. The BLM service charge for the notice is \$30.

### **MAINTAINING CLAIMS AND SITES**

A Maintenance Fee or a Maintenance Fee Waiver Certification must be filed annually on or before September 1<sup>st</sup> and is filed in advance for the upcoming assessment year. See 43 CFR 3834. The annual maintenance fee for lode claims, mill sites and tunnel sites is \$155 per claim or site. The

annual maintenance fee for placer claims is \$155 per every 20 acres or portion thereof. For example, 20 acre placer = \$155; 30 acre placer = \$310; 40 acre placer = \$310, and so forth.

**Claimants who file the maintenance fees must:** Include a document listing the claim/site names and BLM serial numbers for which the fees are being paid. The maintenance fee is in lieu of performance of assessment work.

**Claimants who file the Maintenance Fee Waiver Certification (also known as a waiver or Small Miner Exemption), Form 3830-2, must:**

1. Complete assessment work for the current assessment year, if due, prior to September 1st.
2. Hold or have an interest in no more than 10 claims **nationwide** on September 1st.
3. File a relinquishment or transfer of ownership on or before September 1, for those claims that you are relinquishing or transferring so that you have 10 or fewer claims.
4. Include the name, address and original signature of all owners on the waiver.
5. List claim names and serial numbers that you wish to maintain on the waiver.
6. File a Proof of Labor/Affidavit of Assessment Work with the BLM Nevada State Office on or before December 30<sup>th</sup>. The BLM processing fee is \$10 per claim/site.

See 43 CFR 3835.

**NOTE:** There is no charge to file a Small Miner Exemption.

#### **Proof of Labor/Affidavit of Assessment Work, Notice of Intent to Hold**

1. Complete the assessment work for the current assessment year prior to September 1<sup>st</sup>.
2. List claim names and serial numbers on the Proof of Labor/Affidavit of Assessment Work, or Notice of Intent to Hold.
3. File a Proof of Labor/Affidavit of Assessment Work or Notice of Intent to Hold with the BLM State Office on or before December 30<sup>th</sup>. The BLM processing fee is \$10 per claim/site.
4. File a Proof of Labor/Affidavit of Assessment Work or Notice of Intent to Hold with the appropriate County Recorder on or before November 1st.
5. The affidavit must be signed in the presence of a notary public (State of Nevada requirement).

See 43 CFR 3835.30.

#### **Changing Between a Waiver and Payment of Maintenance Fees**

A claimant currently under a waiver who desires to switch to paying the maintenance fee for the upcoming assessment year, must (1) perform the required assessment work in the assessment year for which the waiver was effective and file the proof of labor document required by December 30<sup>th</sup> immediately following the payment of the maintenance fee; **and** (2) pay the maintenance fee by the due date for the upcoming assessment year.

A claimant who is currently not under a waiver but holds 10 or fewer claims and desires to request a waiver for the upcoming assessment year must:

1. Submit a waiver request on or before the due date for the upcoming assessment year;
2. File a notice of intent to hold or proof of labor on or before the December 30th immediately following the submission of a waiver request;
3. Perform the required assessment work in the assessment year for which BLM waived the maintenance fee; and
4. File an affidavit of assessment work on or before the December 30<sup>th</sup> immediately following the close of the assessment year in which the assessment work was performed.

## **Recording a Change of Address, Amended Notice, Transfer of Interest, and Relinquishment**

**Change of Address** – List claim names and BLM serial numbers. Note address change on annual filing. No charge to file a change of address.

**Amended Notice/Certificate of Location** – If a correction is required on the original location notice, an amended notice should be filed first with the appropriate County Recorder and then, within 90 days from the date recorded with the County Recorder, file a copy with the BLM. The BLM processing fee is \$10 per claim/site. There is no charge to file an amended map. If BLM requires an amendment be filed, it must be filed within 30 days of receipt of notice from BLM. See 43 CFR 3833.20, 43 CFR 3830.94.

**Transfer of Interest (Notarized)** – If there is a change of ownership, the transfer document must include the name and address of the transferor (grantor) and transferee (grantee). The transfer document must also include the claim names and BLM serial numbers and should be filed with BLM and the appropriate County Recorder. The BLM processing fee is \$10 per claim/site **per transferee** (person receiving the interest in the claim/site). A notarized copy of the transfer is a state requirement. See 43 CFR 3833.30.

**For name changes**, there is no fee, but you are required to file the legal documents showing the name change, as well as the claims affected and their BLM serial numbers.

**Abandonment/Relinquishment of claims** – List claim names and BLM serial numbers. The document must be signed by all owners relinquishing their interests. There is no BLM processing fee.

## **FILING REQUIREMENTS ARE SUBJECT TO CHANGE**

As an owner of mining claims, YOU ARE RESPONSIBLE for keeping yourself informed of the changes in the filing requirements and the mining laws. Congress may pass legislation affecting filing requirements. Consequently, the procedure may change. It is suggested that you contact our office periodically to stay up to date. You may write us at BLM Nevada State Office, 1340 Financial Blvd., Reno, NV 89502, or call the Information Access Center at (775) 861-6500. You may also obtain from the Information Access Center guidance on locating a mining claim, additional forms, pamphlets, etc.